

Appl. No. 10/806,166  
Amendment dated: January 3, 2005  
Reply to OA of: October 1, 2004

### **REMARKS**

In reviewing the file it has been noted that Figure 8 contains only subject matter which is old. Therefore the drawing has been amended to correctly identify Figure 8 as Prior Art.

Applicants have amended claims 6 and 10 as requested in the Official Action to correct the minor informalities thereby overcoming the claim objections. In addition, claims 1 and 6 have been amended to specify that at least a portion of the first adhesive layer is in contact with the substrate. This amendment is fully supported by the specification and in particular figures 1-6 which clearly show that the first adhesive layer 30 is contiguous, that is, touching the substrate. This amendment clearly distinguishes the claimed invention over the prior art. Accordingly, Applicants most respectfully submit that all of the claims now present in the application are in full compliance with 35 U.S.C. 112 and are clearly patentable over the references of record.

The rejection of claims 1-10 under 35 U.S.C. 102(e) as being anticipated by Kimura has been carefully considered but is most respectfully traversed.

Applicants wish to direct the Examiner's attention to MPEP § 2131 which states that to anticipate a claim, the reference must teach every element of the claim.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of

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terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed.Cir. 1990).

In the Official Action, it is urged that the cited '141 reference teaches a substrate (1), on which dies (2,3,4) are stacked, wherein the upper die is larger in size than the lower die. The adhesive layers (2a,3a) are mounted between the dies (2,3,4). The marginal portion that each adhesive layer (2a or 3a) is beyond the lower die is suspended, providing an unstable condition for bonding the upper dies thereon.

Furthermore, such unstable structure make it tough to mount the epoxy resin layer (8) therein because it is hard for the resin to flow to the space under the portions of the adhesive layers (2a,3a) and especially into the thin portions (203,303) of the adhesive layers (2a,3a). To make the epoxy resin layer (8) flow to the space under the adhesive layers (2a,3a), the pressure exerted on the epoxy resin layer (8) must be higher, but the higher pressure may make the wires (5,6,7) bend and even deform.

The presently claimed invention teaches the adhesive layers (30,44), each of which has at least one portion adhered on the substrate (12) directly and into which the lower die and the wires are embedded, providing a strong base for bonding the upper die on the same. The adhesive layers (30,44) into which the wires are embedded also protect the wires, such that the wires of the present invention are less vulnerable to the curvature and deformation than those of the cited '141 patent. The presently claimed invention also has none of those thin portions, into which it is hard to flow for the resin.


Briefly, the cited '141 patent has insufficient evidence to reject claim 1 of the presently claimed invention. Accordingly, it is most respectfully requested that this rejection be withdrawn.

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In view of the above comments and further amendments to the claims, favorable reconsideration and allowance of all of the claims now present in the application are most respectfully requested.

Respectfully submitted,

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**Amendments to the Drawings:**

Please replace drawing Fig. 8 with the corrected drawing marked "Replacement Sheet" at the end of this paper.